

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GRADY SCOTT WESTON, Individually)	
and On Behalf of All Others Similarly)	
Situated,)	Case No. 14-cv-10136 (GBD)
)	
Plaintiffs,)	ECF Case
)	
v.)	
)	
RCS CAPITAL CORPORATION, RCAP)	
HOLDINGS, LLC, RCAP EQUITY, LLC,)	
NICHOLAS S. SCHORSCH, BRIAN S.)	
BLOCK, EDWARD MICHAEL WEIL,)	SUGGESTION OF BANKRUPTCY
WILLIAM M. KAHANE, BRIAN D. JONES,)	AND NOTICE OF OPERATION
PETER M. BUDKO, MARK AUERBACH,)	OF AUTOMATIC STAY
JEFFREY BROWN, C. THOMAS MCMILLEN)	
and HOWELL WOOD,)	
)	
Defendants.)	
)	

PLEASE BE ADVISED that voluntary petitions for relief under Chapter 11 of the Bankruptcy Code were filed by RCS Capital Corporation and its affiliated debtors (collectively, the “Debtors”), on January 31, 2016 (the “Petition Date”), in the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”), and docketed as Case No. 16-10223. Copies of the notices of commencement and petition filed by RCS Capital Corporation is attached hereto as Exhibit A and are incorporated herein by reference.

PLEASE BE FURTHER ADVISED that pursuant to Bankruptcy Code sections 1107(a) and 1108, the Debtors continue to manage their property as debtors-in-possession.

PLEASE BE FURTHER ADVISED that certain actions against the Debtors, such as the commencement or continuation of any litigation that could have been or was commenced before the Petition Date, are stayed pursuant to Bankruptcy Codes section 362(a) as of the Petition Date.

Any action taken against the Debtors or their property, or exercising control of a property of the Debtors, including, without limitation, pursuing causes of action that are property of the estate of the Debtors, without obtaining the necessary relief from the automatic stay from the Bankruptcy Court is void *ab initio* and may be subject to findings of contempt and the assessment of penalties and fines.

Dated: New York, New York
February 1, 2015

By: /s/ James P. Smith III

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